IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 443 of 2003 (S/B)

V.P. Singh ……. Petitioner

Versus

Secretary Rural Development

Authority Dehradun & Others …….. Respondents.

Sri S.S.Yadav, Adcovate for the petitioner

Chief Standing Counsel for the respondents.

Coram: Hon. S.H.Kapadia, C.J.

Hon. Rajesh Tandon, J.

Dated: 21.8.2003.

PC:

By this writ petition, the petitioner seeks to challenge order dated 31st July 2003.

Petitioner was attached in September 2003 to Pauri. Thereafter, within nine months he was relieved from Pauri to District Udham Singh Nagar. However, in the judgment delivered by this court on 23rd May 2003, this Court consisting of Hon'ble P.C. Verma, A.C.J., and Hon'ble Irshad Hussain, J., came to the conclusion that the petitioner was attached to Pauri under orders of the Director, Administrative Academy, Nainital and therefore he could not be relieved from Pauri by the Principal, Regional Institute of Rural Development. The order of the principal was deprecated. The principal was asked to tender unconditional apology. Pursuant to the apology the order came to be withdrawn as a result the petitioner remains attached to Pauri. In the circumstances, no interference is called for unless the relieving order is passed by the competent authority transferring the petitioner to any other district. It is not possible by this court to pass orders for transferring the petitioner to Rudrapur. In any event the competent authority has already passed order transferring him to Pauri. Hence, the writ petition is rejected.

(Rajesh Tandon, J.) **(S.H.Kapadia, C.J.)**

MSP